

REMARKS

The above-entitled application is directed to a method of applying hydrophobic compositions (such as lotions) to tissue webs that contact the skin and the product(s) produced therefrom. After initial allowance, many of the claims have since been rejected. In light of the rejections put forth in the most recent Office Action, the above amendments have been made to the claims.

For instance, independent claims 1, 26 and 43 have now all been amended to require that the fibers formed from the hydrophobic composition be attenuated as they are deposited onto the tissue web. Attenuating the fibers is discussed, for instance, on pages 11 and 12 of the present application. Attenuating the fibers makes the fibers slender or thin. Of particular advantage, attenuating the fibers using a meltblown die allows for the formation of fibers with a desired diameter. Further, the air that is used to attenuate the fibers also allows for accurate placement of the fibers on the web. As now amended, it is believed that all of the claims patentably define over the prior art of record.

In the Office Action, claims 20, 21, 41, 42, 49 and 53 were indicated as being allowable. The remaining claims, however, were rejected under 35 U.S.C. § 102 or under 35 U.S.C. § 103 solely in view of U.S. Patent No. 5,990,377 to Chen. Chen is directed to an absorbent web having a dry feel when wet and comprises an inherently hydrophilic base sheet that has an upper surface having elevated and depressed regions. A hydrophobic matter is deposited on the elevated regions of the upper surface of the base sheet such that the depressed regions remain substantially hydrophilic. As now amended, it is believed that all of the claims patentably define over Chen as discussed in greater detail below.

For instance, as opposed to claim 1, Chen does not disclose applying a hydrophobic composition as defined in the presently pending application onto a tissue web using a meltblown die to form fibers and does not disclose attenuating the fibers as they are deposited onto the tissue web as now required in independent claims 1, 26 and 43. Chen does discuss the use of a meltblown die in order to form synthetic polymeric fibers or for applying an adhesive to a base sheet (see column 5). When discussing hydrophobic compositions as defined in the currently pending claims, however, Chen states at column 33, lines 30-49 that the hydrophobic materials are often heated to high temperatures,

"enabling application of the liquid ... by gravure printing, spray, brush application, or other means". Extrusion through a meltblown die or fiber attenuation is not mentioned.

The Office Action conceded that Chen is silent with respect to attenuating fibers as required in previously pending claims 18, 40 and 52. The Office Action states, however, that:

It is noted that attenuated fibers can enhance the strength of the fiber. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to attenuate the fibers.

The Office Action provided no evidence whatsoever, however, for the assertion that "attenuated fibers can enhance the strength of the fiber". In fact, the above statement is no more than an unsupported conclusion – not a reason upon which to base the rejection. As such, Applicants submit that independent claims 1, 26 and 43 patentably define over Chen.

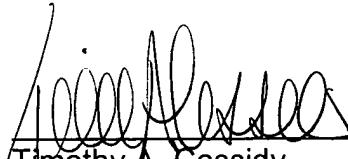
In summary, it is believed that the claims as currently pending are patentably distinct over the prior art of record and are incomplete condition for allowance. Should any issues remain after consideration of this amendment, then Examiner Peng is invited and encouraged to telephone the undersigned in order to hopefully expedite prosecution.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully submitted,

1/19/04

Date



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